



1950

File No. *Civ. P. C. II/50(R)*

Legal Department

B BRANCH

Subject:— *Rules under the Code
of Civil Procedure, 1908.*

*P. C.
II/50*

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Legal Department.

The Registrar, High Court, Bombay, in his letter No. P.0703/47, dated 27th September 1949 (page 1 ante) to the Home Department has requested that Department to move Government.

- (1) to accord sanction to delete all references to the States which have merged with the Province from the Civil Manual Volumes I and II; and
- (2) to suggest how the references in the Civil Manual to States which have not merged with this Province should be amended in view of their political status.

Subsequent to the said letter, the new Constitution of India has come into force with effect from 26th January 1950 and on the same date the President has issued the Adaptation of Laws Order, 1950 making specific *Central Acts and general adaptations in the adaptations in the Constitution and statutes* From the provisions of the Constitution and the adaptations made, it will appear that Part B States now correspond to former Indian States. Accordingly references to Indian States which still subsist as Part B States will have to be replaced generally by references to Part B States and references to Indian States which now form part of a Part A State or Part C State will have to be deleted from the Manual.

2. The Home Department has referred these papers to this Department for advice in respect of amendments to be suggested in Chapter I-A of Volume I of the Civil Manual. On referring to the provisions of Chapter I-A, it appears that besides the references to Indian States, there are many other references which would require modifications in the light of the provisions of the new Constitution and of the Adaptation of Laws Order, 1950 and in particular the adaptations to the Civil Procedure Code. The High Court will have,

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therefore

therefore, to take into consideration the provisions referred to above and suggest suitable adaptations to Chapter I-1. If any difficulty is felt by the High Court on any Particular point it may, if necessary, be referred to Legal Department.

Sd/-

Additional Secretary to Government.

U.R.to H.D., No. 6745, dated the 17th May 1950.

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